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July 2, 2021

### VIA ECF

The Honorable Denise L. Cote  
Daniel Patrick Moynihan United States Courthouse  
500 Pearl Street  
New York, New York 10007

Re: Wilmington Trust, N.A. v. Steak n Shake Inc., 1:21-cv-02495

Dear Judge Cote:

We represent Defendant and Counterclaim-Plaintiff Steak n Shake Inc. ("Steak n Shake") in the above referenced matter. We write on behalf of Steak n Shake and Plaintiff and Counterclaim-Defendant Wilmington Trust, N.A. ("Wilmington") to jointly respectfully request an adjournment of the Rule 16 case management conference scheduled for July 9, 2021. This is the second request for adjournment of this conference.

On May 24, Steak n Shake filed its Answer and Counterclaims against Wilmington. Thereafter, the Court extended Wilmington's deadline to move, answer, or otherwise respond to the Counterclaims to July 8, 2021, and continued the Rule 16 conference to July 9, 2021 per the parties' joint request and in the interests of efficiency and judicial economy.

The parties now respectfully request that the Rule 16 conference be adjourned in light of counsel's availability, and to allow the parties sufficient time to meet and confer on a proposed schedule for any motions and discovery. The parties respectfully submit that it would serve the interests of efficiency and judicial economy if the Rule 16 conference were scheduled at the Court's convenience on or after July 30, 2021.

Respectfully Submitted,

/s/ Christopher J. Clark

Christopher J. Clark  
of LATHAM & WATKINS LLP

cc: All Counsel of Record via ECF

*The conference is adjourned to 9/15/21  
at 4:00 pm. There shall be no further  
adjournments. The conference will  
occur in Courtroom 18B.*

*Denise Cote  
7/2/21*